

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

03 FEB 27 PM 3:22

U.S. DISTRICT COURT  
N.D. OF ALABAMA

WILLIAM KELLY,

Plaintiff,

v.

LIFE INSURANCE COMPANY OF  
NORTH AMERICA, ATC DISTRIBUTION  
GROUP, INC., PHYLLIS BETTINO, and  
BECKY COLUMBUS,

Defendants.

CIVIL ACTION NO. 02-C-0425-S

ENTERED

FEB 27 2003

**MEMORANDUM OF OPINION**

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation (doc. 29) is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, the defendants' motions for judgment on the pleadings (doc. 18 & 21) are due to be granted as to Counts Five and Six. An appropriate order will be entered.

DONE, this 27<sup>th</sup> day of February, 2003.

  
\_\_\_\_\_  
U. W. CLEMON  
CHIEF UNITED STATES DISTRICT JUDGE

30